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Cadila Healthcare, Limited

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TAKEDA PHARMACEUTICAL
COMPANY LIMITED, TAKEDA
PHARMACEUTICALS NORTH
AMERICA, INC., TAKEDA
PHARMACEUTICALS LLC,
TAKEDA PHARMACEUTICALS
AMERICA, INC., and ETHYPHARM,
S.A.,

Plaintiffs,

v.

ZYDUS PHARMACEUTICALS USA
INC. and CADILA HEALTHCARE
LIMITED,

Defendants.

CIVIL ACTION NO:
3:10-CV-01723-JAP-TJB

**NOTICE OF DEFENDANTS'
MOTION *IN LIMINE* TO
PRECLUDE EVIDENCE OF
AVERAGE PARTICLE
DIAMETER**

Return Date: April 1, 2013

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on April 1, 2013 or as soon thereafter as
counsel can be heard, the undersigned counsel for Defendants Zydus
Pharmaceuticals, USA, Inc. and Cadila Healthcare, Limited (collectively “Zydus”)

will move pursuant to Local Civil Rule 7.1(i) before the Honorable Joel A. Pisano, U.S.D.J., at the United States District Court for the District of New Jersey, for an Order granting Zydus' Motion *in limine* to Preclude Evidence.

PLEASE TAKE FURTHER NOTICE that in support of its Motion, Zydus will rely on the Declaration of Vincent P. Rao, submitted herewith.

PLEASE FURTHER TAKE NOTICE that a proposed form of Order is submitted herewith in accordance with L. Civ. R. 7.1(e).

Dated: March 1, 2013

KELLEY DRYE & WARREN LLP

By: s/Vincent P. Rao
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and Cadila Healthcare Limited*

CERTIFICATE OF SERVICE

I hereby certify that on March 1, 2013 I caused to be served a copy of the foregoing Defendants Zydus Pharmaceuticals, USA, Inc. and Cadila Healthcare's Motion *in limine*, and the accompanying Declaration of Vincent P. Rao submitted therewith, dated February 28, 2013, together with a Proposed Order, on each interested party in this action in accordance with the electronic filing procedures of the United States District Court for the District of New Jersey via ECF and email on the following.

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Dated: March 1, 2013

/s/Vincent P. Rao II
Vincent P. Rao II